

REMARKS/ARGUMENTS

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

Claims 1, 2, 4-16, 18, 19, and 21-36 are pending. Claims 1, 2, 7-9, 13-15, 18, 19, 24-26, 28, 29, 30, and 31 are amended. Claims 33-36 are newly added; and Claims 3, 17, and 20 are canceled without prejudice or disclaimer. Support for newly added Claims 33 and 34 can be found in the specification at page 6, lines 8-18, for example; and support for newly added Claims 35 and 36 can be found at page 10, lines 9-21, for example. Amended Claim 1 includes the features of original Claim 3; amended Claim 15 includes the features of original Claim 17; amended Claim 18 includes the features of original Claim 20; and Claims 2, 7-9, 13, 14, 19, 24-26, 28, 29, 30, and 31 are amended to address minor informalities and to comport with the amendments to independent Claims 1, 15, and 18. Further support for the amendments to Claims 1, 15, and 17 can be found in Fig. 1, for example. No new matter is added.

In the outstanding Office Action, Claims 1-2, 15, 16, and 18-29 were rejected under 35 U.S.C. §102(b) as anticipated by Kunihiro et al. (U.S. Patent No. 6,314,262, hereafter, “Kunihiro”), and Claims 13, 14, 17, and 30-32 were rejected under 35 U.S.C. §103(a) as obvious over Kunihiro in view of Floyd et al. (U.S. Patent No. 6,421,518, hereafter, “Floyd”). Claims 13, 14, 30, and 31 were objected to for minor informalities.

Regarding the objection to Claims 13, 14, 30, and 31 for minor informalities, the term “indica” is changed to “indicia” in each of Claims 13, 14, 30, and 31. Accordingly, Applicants respectfully submit that the objection is overcome.

Regarding the rejection of Claims 1-12, 15, 16, and 18-29 as anticipated by Kunihiro, that rejection is respectfully traversed by the present response.

Amended Claim 1 recites, in part:

a unitary base member configured to engage a toner hopper of an image forming apparatus which has a sliding-type toner hopper lid;

a first orifice provided on said unitary base member and configured to allow toner to pass through said unitary base member into the hopper; and

a second orifice provided on the unitary base member and positioned to be on a same side of said first orifice towards which the toner hopper lid is pulled to be opened.

Accordingly, a first and second orifice are provided on a unitary base member.

In contrast, Kunihiro does not disclose a first and second orifice provided on a unitary base member. Rather, as shown in Figure 1, Kunihiro describes a bottle slider (7) with a pair of positioning pieces (10) which engage the positioning holes (11) on a mount (3) of a toner hopper (1).¹ The outstanding Office Action points to the slider (7) in combination with the cartridge cover (9) for the feature of a base member configured to engage a toner hopper. However, the cartridge cover (9) in combination with the bottle slider (7) does not have a first orifice and a second orifice.

The outstanding Office Action points to shutoff lid (4) enclosed in guide frame (5) for the feature of a second orifice. As is clearly shown in Figure 1, the slide (7) in combination with the cartridge cover (9) comprises a separate device physically apart from the guide frame (5) and shutoff lid (4). Therefore, any orifice associated with the shutoff lid (4) and the guide frame (5) is in no way a second orifice “provided on the unitary base member” as recited in amended Claim 1. Accordingly, Applicants respectfully submit that amended Claim 1 patentably distinguishes over Kunihiro for at least the reasons discussed above.

Claims 2-14, 33, and 35 depend, directly or indirectly, from amended Claim 1, and Floyd does not remedy the deficiencies in Kunihiro discussed above regarding amended Claim 1. Rather, Floyd describes toner bottle with a rotatable valve. Floyd does not disclose a unitary base member with first orifice and a second orifice provided on the unitary base

¹ Kunihiro, column 15, line 60 – column 16, line 2.

member and positioned to be on a same side of said first orifice towards which the toner hopper lid is pulled to be opened. Accordingly, Applicants respectfully submit that dependent Claims 2-14, 33, and 35 patentably distinguish over the cited references for at least the same reasons as amended Claim 1.

Amended independent Claim 18 recites a substantially similar feature to the one discussed above regarding amended Claim 1. Accordingly, Applicants respectfully submit that amended Claim 18 and Claims 20-32, 34, and 36 depending directly or indirectly from amended Claim 18 patentably distinguish over the cited references for at least the same reasons as amended Claim 1.

Regarding the rejection of Claims 15 and 16 as anticipated by Kunihiro, that rejection is respectfully traversed by the present response.

Amended Claim 15 recites, in part,

A toner container ...

a toner hopper engagement device provided on a toner hopper of an image forming apparatus having a **sliding type lid**, so that said adhesive portion may be peeled off by a **movement of the lid of the toner hopper**.

(emphasis added). Accordingly, an adhesive portion provided on a sealing member is peeled off by a movement of the sliding lid of the toner hopper.

In contrast, Kunihiro does not disclose a sliding type toner hopper lid that peels an adhesive portion off of a sealing member. Rather, Kunihiro describes a sealing element (45) fixed to the underside of releasing element (40) so that “sealing element 45 will be peeled off when releasing element 40 is separated from bottle slider 7.”² Kunihiro further states:

As releasing element 40 is rotated about bridges 47 as the fulcrum by holding handle 46, sub-bridges 48 first break off and then bridges 47 break off so that releasing element 40 can be readily separated from bottle slider 7. That is, **pulling handle 46 causes removal of releasing element 40 and removal of sealing element 45 from toner cartridge 2**. In this

² Kunihiro, column 19, lines 39-41.

way, once toner cartridge 2 has been used, the toner cartridge 2 with its sealing element 45 pulled out has no releasing element 40. Therefore, if this is attached again to toner hopper 1, it is impossible to open shutoff lid 4. In connection with toner cartridge 2, even if handle 46 is rotated when bottle slider 7 is mounted to cartridge cover 9, the front end of releasing element 40 is adapted to come into contact with cartridge cover 9. This configuration prevents separation of releasing element 40 as well as removal of sealing element 45 when the cartridge is not mounted to toner hopper 1.³

(emphasis added). Thus, it is the removal of releasing element (40) that removes the sealing element. As is clearly shown in Figs. 16A and 16B, releasing element (40) is not a sliding type lid of a toner hopper. Accordingly, Kunihiro does not provide removal of an adhesive portion by movement of a sliding lid of a hopper, and Applicants respectfully request withdrawal of the rejection of Claims 15 and 16.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A notice of allowance for Claims 1, 2, 4-16, 18, 19, and 21-36 is earnestly solicited.

Should Examiner Ngo deem that any further action is necessary to place this application in even better form for allowance, he is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

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³ Kunihiro, column 20, lines 6-21.